

Message Text

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ORIGIN L-03

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FM SECSTATE WASHDC

TO AMEMBASSY BOGOTA

INFO AMEMBASSY PANAMA

C O N F I D E N T I A L STATE 054438

E.O. 11652: GDS

TAGS: PBOR, PN, CO

SUBJECT: EFFECT OF PANAMA CANAL TREATIES ON 1914
THOMPSON-URRUTIA TREATY

REFS: (A) BOGOTA 00262; (B) BOGOTA 00767; (C) STATE
004744; (D) BOGOTA 00032

1. IN VIEW OF MINISTER LIEVANO'S ACKNOWLEDGMENT (REFTEL A)
THAT U.S. OBLIGATIONS DO NOT EXTEND BEYOND DECEMBER 31,
1999, AND HIS DESIRE FOR SOME RECOGNITION BY THE U.S. OF
PANAMA'S COMMITMENT TO CONTINUE COLOMBIA'S RIGHTS AFTER
THAT DATE, MODIFICATION OF THE LANGUAGE OF THE NOTE
TRANSMITTED IN REFTEL D MAY BE APPROPRIATE.

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2. IN ORDER TO AVOID POTENTIAL POLITICAL PROBLEMS INVOLVED
IN AN EXCHANGE OF NOTES AT THIS TIME, DEPARTMENT SUGGESTS
THAT NOTE, PROPOSED TEXT OF WHICH APPEARS IN PARA 3 BELOW,
TAKE THE FORM OF A UNILATERAL U.S. NOTE RATHER THAN AN
EXCHANGE OF NOTES AS PREVIOUSLY PROPOSED.

3. BEGIN TEXT: "I HAVE THE HONOR TO ADVISE YOUR

EXCELLENCY THAT IT IS THE POSITION OF MY GOVERNMENT THAT THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF COLOMBIA SIGNED AT BOGOTA APRIL 6, 1914, KNOWN

AS THE THOMPSON-URRUTIA TREATY WILL REMAIN IN FORCE BETWEEN OUR TWO COUNTRIES UNTIL DECEMBER 31, 1999, AND THAT IN AGREEMENT WITH THE TERMS OF THE TREATY ON THE PERMANENT NEUTRALITY AND OPERATION OF THE PANAMA CANAL, THE REPUBLIC OF COLOMBIA WILL CONTINUE TO EXERCISE UNTIL DECEMBER 31, 1999, THE FOLLOWING RIGHTS THROUGH SAID CANAL:

(A) THE TRANSPORT AT ALL TIMES THROUGH THE INTEROCEANIC CANAL OF ITS TROOPS, WAR MATERIALS AND WARSHIPS, WITHOUT PAYING ANY CHARGES TO THE UNITED STATES,

(B) THE PRODUCTS OF COLOMBIAN SOIL AND INDUSTRY THAT PASS THROUGH THE CANAL, AS WELL AS COLOMBIAN MAILS, WILL BE EXEMPT FROM ALL CHARGES OR FEES, OTHER THAN THOSE THAT WILL BE APPLICABLE TO THE PRODUCTS AND MAILS OF THE UNITED STATES. ANY WORKS OR ALTERATIONS THAT WILL BE EFFECTED IN THE CANAL WILL NOT AFFECT THE ABOVE MENTIONED RIGHTS OF THE REPUBLIC OF COLOMBIA THROUGH THE INTEROCEANIC CANAL.

MY GOVERNMENT ALSO UNDERSTANDS THAT, IN ACCORDANCE WITH
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ARTICLE 6 OF THE TREATY ON PERMANENT NEUTRALITY AND OPERATION OF THE PANAMA CANAL, THE REPUBLIC OF PANAMA AND THE REPUBLIC OF COLOMBIA HAVE MADE ARRANGEMENTS TO CONTINUE THE TRANSIT RIGHTS OF THE REPUBLIC OF COLOMBIA AFTER DECEMBER 31, 1999, AS EXPRESSED IN THE EXCHANGE OF NOTES CARRIED OUT BETWEEN THE TWO COUNTRIES IN PANAMA CITY ON NOVEMBER 30, 1977." END TEXT. CHRISTOPHER

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NNN

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